Atty

1

Kalemkarian, Stephen A.

(Attorney of Record for John and Teresa Assadourian – Parents and Conservators)

Petition for Transfer

Age: 47	John and Teresa Assadourian, Parents,	NEEDS/PROBLEMS/COMMENTS:
DOB: 5-27-66	were appointed Conservators of the Person on 7-5-1984.	
	===	
	On 5-23-13, Court Investigator Jennifer Daniel filed this Petition for Transfer to	
Aff.Sub.Wit.	Tulare County Superior Court, with	
Verified	transfer fees and costs waived.	
Inventory	Notice of Hagring was sent to all parties	
PTC	Notice of Hearing was sent to all parties and to CVRC on 5-24-13.	
Not.Cred.	- drid 10 C vice 0113 24 10.	
Notice of		
Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf.		
Screen		
Letters		
Duties/Supp		
Objections		
Video		
Receipt		
CI Report		
9202		
Order	<u> </u>	
Aff. Posting	<u> </u>	Reviewed by: skc
Status Rpt	<u> </u>	Reviewed on: 6-19-13
UCCJEA Citation	<u> </u>	Updates:  Recommendation:
FTB Notice	<del>-</del>	File 1 - Assadourian
LIP NOTICE		riie i - Assadourian

Atty

Shehadey, Vanessa Lynn (for Robert M. Ray – Administrator/Petitioner)

(1) First and Final Account and Report of Administrator and (2) Petition for Its Settlement, for Allowance of Compensation for Ordinary and Extraordinary Services and (3) for Final Distribution (Prob. C.11640)

DC	D: 04/21/11	ROBERT M. RAY, Administrator, is	NEEDS/PROBLEMS/COMMENTS:
	2, 0, 1, 2, 1, 1, 1	Petitioner.	
		Account period: <b>04/04/12 - 02/19/13</b>	
Со	nt. from	Accounting - <b>\$7,910.94</b>	
	Aff.Sub.Wit.	Beginning POH - \$6,444.55	
<b>√</b>	Verified	Ending POH - \$5,626.13	
✓	Inventory		
✓	PTC	Administrator - <b>\$316.44</b> (statutory)	
✓	Not.Cred.	(statotory)	
✓	Notice of	Administrator Costs - \$120.00 (for	
	Hrg	certified copies of death certificate)	
<b>✓</b>	Aff.Mail w/	Attorney - <b>\$316.44</b>	
	Aff.Pub.	Attorney - <b>\$316.44</b> (statutory)	
	Sp.Ntc.	(Sidiololy)	
	Pers.Serv.	Attorney x/o - \$190.00	
	Conf.	(itemized by date for 1.9 hours @	
	Screen	\$100/hr. for work performed related to	
_	<b>Letters</b> 04/04/12	filing of delinquent tax returns and assisting beneficiaries in connection	
	Duties/Supp	with a brokerage account held	
	Objections V	outside of the estate)	
	Video Receipt		
	Cl Report	Closing - <b>\$300.00</b>	
<b>✓</b>	9202	<b>Petitioner states</b> that there is a Federal	
<b>√</b>	Order	Tax Lien for delinquent income tax	
	Aff. Posting	due and all remaining cash on hand	Reviewed by: JF
	Status Rpt	will be distributed to the Internal	<b>Reviewed on:</b> 06/19/13
	UCCJEA	Revenue Service to satisfy the	Updates:
	Citation	outstanding personal income tax lien.	Recommendation:
✓	FTB Notice	Distribution, pursuant to intestate	File 2 - Ray
		succession, and subject to a Federal	
		Tax Lien, is to:	
		Internal Revenue Service - \$4,383.25 as payment in full for the outstanding delinquent personal income tax due from the decedent.	

Petition for Payment of Attorney's Fees

		NEEDS/PROBLEMS/COMMENTS:
		CEALED
		SEALED
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of		
Hrg	_	
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf.		
Screen	<u> </u>	
Letters		
Duties/Supp		
Objections		
Video		
Receipt	<del>-</del>	
CI Report	<b>—</b>	
9202	<del>_</del>	
Order	<u> </u>	Deviewed by asks
Aff. Posting	<del>_</del>	Reviewed by: skc
Status Rpt UCCJEA	<del>- </del>	Reviewed on: 6-19-13
Citation	<del>- </del>	Updates: Recommendation:
FTB Notice	<del>- </del>	File 3A - Cavin
FIB NOTICE		rile SA - CUVIII

Fanucchi, Edward L. (for James C. West – Petitioner – Nephew)

Knudson, David N. (Court Appointed for Conservatee)

Petition for Appointment of Probate Conservator of the Person (Prob. C. 1820, 1821, 2680-2682)

Ag	e: 67		NO TEMPORARY ORDERS	NEEDS/PROBLEMS/
	nt. from 042213	,	JAMES C. WEST, nephew, is petitioner and requests appointment as Conservator of the person, medical consent and dementia powers to administer dementia medications and for placement in a secured perimeter facility.	COMMENTS:  Matter has been continued on 04/22/2013 and 05/20/2013.  The following issues remain:
./	Aff.Sub.Wit.		Declaration of Jennifer Lancaster, D.O., 03/21/203.	Court Investigator Advised
	Inventory		Petitioner states: proposed conservatee suffered a	Rights on 03/22/2013.
	PTC		stroke on 06/30/2012 with a total left side hemiparesis. She is unable to dress, bathe, or care	1. Need Citation.
<b>√</b>	Notice of Hrg		for herself, cannot walk, cannot cook, has no	2. Need video receipt for
<b>√</b>	Aff.Mail	w/	coordination, is aggressive, lacks short term memory, her thoughts are unrealistic, she is	each conservator pursuant to Local Rule 7.15.8(A).
	Aff.Pub. Sp.Ntc.		delusional and she has been diagnosed with dementia.	3. #1g of the petition is not
✓	Pers.Serv.	w/	Declaration of Court Appointed Counsel in Opposition	marked regarding medical consent powers. However
	Conf. Screen		to Petition for Appointment of Conservator of the	#9 of the petition is marked
1	Letters		Person filed 02/19/2013 – states proposed	stating there is no form of medical treatment for
<b>√</b>	Duties/Supp		conservatee vehemently opposes the petition for appointment of conservator of her person, and	which the proposed
	Objections		particularly opposes the appointment of her nephew,	conservatee has the capacity to give an
	Video Receipt	Х	James C. West as conservator.	informed consent. Need clarification.
<b>√</b>	CI Report		Proposed Conservatee is seen regularly by her doctor, Jennifer Lancaster. Dr. Lancaster prepared a	Capacity Declaration filed
	9202		capacity declaration stating the proposed	04/19/2013 does not
✓	Order		conservatee is able to attend the court hearing, has capacity to give informed consent to any form of medical treatment, the proposed conservatee <b>does</b>	support the Petitioner's request for medical consent and dementia powers.
	Aff. Posting		have capacity to give informed consent to	Reviewed by: LV
	Status Rpt		placement, a locked secured perimeter facility is <b>not</b>	<b>Reviewed on:</b> 06/20/2013
	UCCJEA		the least restrictive environment appropriate to the	Updates:
	Citation		needs of the proposed conservatee and while the	Recommendation:
	FTB Notice		conservatee would benefit from the administration of	File 4 - Manuszak
			medications for dementia, the proposed conservatee	
			has the capacity to give informed consent to their	
			administration.	
			<u>Please see additional page</u>	

### 4 (additional page) Alicia Manuszak (CONS/P) Case No.13CEPR00210

#### **Declaration continued**

Proposed Conservatee is seen regularly by her doctor, Jennifer Lancaster. Dr. Lancaster prepared a capacity declaration stating the proposed conservatee is able to attend the court hearing, has capacity to give informed consent to any form of medical treatment, the proposed conservatee <u>does</u> have capacity to give informed consent to placement, a locked secured perimeter facility is <u>not</u> the least restrictive environment appropriate to the needs of the proposed conservatee and while the conservatee would benefit from the administration of medications for dementia, the proposed conservatee <u>has</u> the capacity to give informed consent to their administration.

On 07/05/2012, five days after the proposed conservatee's stroke she executed an Advance Health Care Directive, signed by the petitioner, James West, and Jean West, the proposed conservatee's sister. At the same time she executed a durable power of attorney for property management.

The proposed conservatee states she intends to revoke the advance health care directive, because she does not want Jean West or James West to make health care decisions for her.

Proposed conservatee requests that she be present at any further hearings on this matter, and further requests that the conservatorship proceedings be dismissed.

Court Investigator Charlotte Bien Report filed 04/12/2013.

Atty Atty

Δttv

### In Matter of: Lois Gray Durable Power of Attorney Case No. 13CEPR00214

Walters, Jennifer L. (for Petitioner Eileen Sutterfield)

Burnside, Leigh (for Respondent/Cross Petitioner Ronald Gray)

Sharbaugh, Catherine (court appointed for principal Lois Gray)

Petition to Compel Agent to Act (Prob. C. 4000, eq)

Со	ont. from 0508	13,	
052	2213	1	
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of		
	Hrg		
✓	Aff.Mail	W/	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf.		
	Screen		
	Letters		
	Duties/Supp		
✓	Objections		
	Video		
	Receipt		
	CI Report		
	9202 Order	Χ	
	Oldei	^	
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	ETR Notice		

**FTB Notice** 

EILEEN SUTTERFIELD, child and co-agent oursuant to the Durable Power of Attorney, is Petitioner.

Petitioner states this matter concerns the co-agent, Ronald Gray, lack of cooperation in regard to the Power of Attorney and therefore detrimentally affecting the Settlor's property, assets and ntent behind draftina the documents.

Petitioner alleges Lois Gray, on or about 1/8/2009, executed The Durable Power of Attorney for Management of Property and Personal Matters. Petitioner states she is aware of the terms of the POA. Based on ner firsthand knowledge and having read he POA, the Petitioner contends that she and her Co-Agent were designated to pay all necessary debts including the power to sell ownership of the property.

ois Gray is currently residing at Cottonwood Retirement facility. The settlor recently suffered from a stroke and s now diagnosed with dementia. The cost of living at Cottonwood is approximately \$4.720 each month with additional medical incidental costs of \$1,250.00.

Petitioner contends that pursuant to section 2.A.(1) the Co-Agents are capable of taking any action necessary egarding the Settlor's real and personal property. This would include the Settlor's mobile home she is no longer residing in and will not be able to reside in at any uture date. To keep the vacant mobile nome costs the Settlor approximately \$700.00 per month for rental of the land within a complex and insurance.

Please see additional page

#### **NEEDS/PROBLEMS/COMMENTS:**

Continued from 5/22/13. Minute order states Ms. Walters is ordered to provide Ms. Burnside with the monthly statements from December 2012 to the present. The Court orders that the statements also include those from Chase and the Credit Union. The court further orders that both counsels facilitate the listing and sale of the mobile home. Said mobile home is to be sold at an appropriate price and the proceeds are to remain in the escrow account. The Court orders counsel is to be appointed for Lois Gray.

- 1. Need proof of service of the Notice of Hearing on Principal, Lois Gray. Probate Code §4544.
- 2. Need Order

**Note:** Order on Cross Petition of Ronald Gray contains a place to insert the date that Eileen Sutterfield is to account by.

**Note:** A Petition to Compel Trustee to Reimburse Trust and Attorneys fees has been filed and is set for hearing on 8/6/2013. Since the Trust is not before the court it appears that this pleading should have been filed in a separate action for the Trust.

Reviewed by: KT Reviewed on: 6/19/13 Updates: 6/24/2013 **Recommendation:** File 5 - Gray

Petitioner states she has requested of the Co-Agent, Ronald Gray, on several occasions to agree to sell the mobile home owned by the Settlor to allow for additional funds to be provided to the assisted living facility. Ronald Gray refuses to participate in the sale unless the funds are provided to a joint trust account. A trust account is not necessary as the proceeds of the sale can be directly provided to Cottonwood for the monthly expenses.

#### Petitioner requests the Court enter an order that:

- 1. Lois Gray established the Lois Gray Durable Power of Attorney, on or about April 8, 2009;
- 2. The Co-Agents named by the Settlor are Eileen Sutterfield and Ronald Gray;
- 3. Co-Agent Ronald Gray be ordered to participate in the facilitation of the sale of the mobile home owned by the Settlor;
- 4. For all other relief as the Court deems proper under the circumstances.

Respondent Ronald Gray's Response to Petition to Compel Agent to Act; Cross Petition to Compel Co-Agent to Account and Report filed on 5/2/13. Respondent admits some of the allegations in the petition and denies other allegations in the petition.

Wherefore, Respondent respectfully requests an order:

- 1. Dismissing the Petition with prejudice;
- 2. For costs incurred herein;
- 3. For any and all other relief the Court deems just and proper.

### Cross Petition to Compel Co-Agent to Account and Report.

Cross Petitioner, Ronald Gray, alleges:

On 4/8/2009 Lois Gray executed a Durable Power of Attorney for Management of Property and Personal Affairs (DPOA) appointing her children, Ronald Gray (Mr. Gray) and Eileen Sutterfield (Ms. Sutterfield) as her co-agents.

In conjunction with the DPOA, Lois Gray also executed the Lois Gray Living Trust (the Trust).

The Trust estate consists of two parcels of real property and a mobile home, none of which has substantial value. The Trust has no liquid assets, but Mr. Gray is informed and believes that Lois Gray has one or more bank accounts at Chase Bank held in her name individually, from which her living expenses have been, and are being paid. Mr. Gray is further informed that Ms. Sutterfield is named as a co-owner of said account(s) solely for the purpose of facilitating the payments of Lois Gray's bills and expenses. Ms. Sutterfield has not provided Mr. Gray with copies of the monthly statements of a Chase Bank checking account belonging to Lois Gray since approximately November 2012, despite repeated requests.

Please see additional page

Recently, Ms. Sutterfield began demanding that Mr. Gray assist her in selling the mobile home to pay for Lois Gary's board and care at the assisted living facility. She also stopped providing Mr. Gray with copies of the monthly bank statements. Ms. Sutterfield has also refused Mr. Gray's request to meet to resolve the matter of how best to take care of their mother's finances. Mr. Gray suggested, for example, that he and Ms. Sutterfield establish a bank account in their capacity as co-trustees of the trust to hold all funds for the benefit of their mother. Ms. Sutterfield, however, has refused to do so and continues to refuse to provide information regarding the status of their mother's funds, which funds are now under the exclusive control of Ms. Sutterfield.

For the foregoing reasons, Mr. Gray request that the Court order Ms. Sutterfield to account and report regarding the joint bank account at Chase Bank that she shares with Lois Gray, as well as any toher account she owns with Lois Gray, for the period commencing August 1, 2012 through April 30, 2013.

### Wherefore, Petitioner prays for an Order:

- 1. That Ms. Sutterfield account and report for the funds contained in all accounts that she owns with Lois Gray for the period commencing August 1, 2012 through April 30, 2013.
- 2. That Cross-Petitioner be awarded his costs incurred herein, and;
- 3. That the Court order any and all other relief it deems just and proper.

**Supplement in Support of Cross-Petition filed on 5/16/13.** Ronald Gray states that it is his belief that the funds in the Chase Bank account are the property of Mrs. Gray, and that Eileen has not deposited any of her own personal funds into said account. Accordingly pursuant to Probate Code §5301 (a), all of the funds in the account belong to Mrs. Gray.

Ronald Gray alleges Eileen has admitted that the funds in the Chase Bank account are exclusively the property of Mrs. Gray and, upon Mrs. Gray's death are to be distributed to the beneficiaries of Mrs. Gray's trust.

Since December 2012, Eileen has refused Donald's request to provide copies of the Chase Bank account statements to Ronald notwithstanding his is the co-agent of Mrs. Gray under a properly executed Durable Power of Attorney. Ronald states he met with Eileen on May 14, 2013, and again requested she provide him with copies of the statements, but Eileen continues to refuse to do so in the grounds that she is a co-owner of the account and has no obligation to share any information with Ronald. Ronald visited a branch of Chase Bank on or about 5/10/2013, with a copy of the DPOA and requested copies of the statements, but bank personnel would not provide them.

Eileen continues to withhold information from him relative to Mrs. Gray's finances, yet demands that he agree to sell Mrs. Gray's mobile home, which is actually an asset of the Mrs. Gray's living Trust. Eileen however has been unwilling to agree to deposit the sale proceeds into a Trust account titled in the names of both Ronald and Eileen as co-Trustees. Due to Eileen's refusal to do so, as well as her refusal to share Mrs. Gray's financial information with him, Ronald has not agreed to the sale of the mobile home.

Please see additional page

Petitioner Eileen Sutterfield's Response to Respondent Ronald Gray's Cross-Petition to Compel Co-Agent to Account and Report and Supplement in Support of Cross-Petition to Compel Co-Agent to Account and Report was filed 5/21/13. Cross Respondent states since the execution of the DPOS and the Trust, Lois Gray has been diagnosed with dementia and suffered a stroke. Lois Gray is currently residing in a care facility in Fresno. Cross Respondent admits that the Trust estate contains two parcels of real property and a mobile home. Cross-Respondent admits that the Trust has no liquid assets. Cross-Respondent further admits that she has not provided Mr. Gray monthly bank statements of a Chase bank account since November 2012. Cross-Respondent denies that she has refused Mr. Gray's attempts to meet and resolve the matter of how best to take care of their mother's finances.

Cross-Respondent admits that Mrs. Gray added her daughter Eileen Sutterfield to the account. Cross-Respondent admits that she has not deposited any of her own personal funds into the account. Cross-Respondent admits that Mr. Gray is a co-agent under a properly executed Durable Power of Attorney. Cross-Respondent continues to refuse to provide Cross-Petitioner with copies of statements on the ground she is a co-owner of the account and has no obligation to share any information with Cross-Petitioner.

Cross-Respondent alleges Cross-Petitioner has absolutely no authority to bring his cross-petition under Probate Code sections 4236 and 4241. Probate Code § 4236 states that an "attorney-in-fact shall keep records of all transactions entered into by the attorney-in-fact on behalf of the principal." That may be true when Cross-Petitioner acts as an agent under a DPOA to conduct transactions, but Cross-Respondent is not using or acting as an Agent under Mrs. Gray's DPOA to conduct transactions for Mrs. Gray and Cross-Respondent's joint Chase checking account. Mrs. Gray added Cross-Respondent to her Chase checking account several years ago. Mrs. Gray did not specifically state to Cross-Petitioner why she added her only that she wanted Cross-Respondent as a co-owner of the Chase checking account. Cross-Respondent is a co-owner of the Chase checking account.

Cross-Respondent states she has no duty to pay her mother's finances with the funds from the joint account, but chooses to do so as co-owner. By operation of law, Cross-Respondent becomes the sole owner of the Chase account and can choose to give the money to the Trust after her mother's death. That doesn't make the funds in the joint account automatically "Trust fund." Mrs. Gray's intent is clear she did not want her checking account funds to be part of her Trust, and she wanted to daughter to be a co-owner of her Chase checking account with right of survivorship. Cross-Respondent simply has no duty under the Probate Code to account and report to Cross-Petitioner for her and Mrs. Gray's joint account.

Cross-Petitioner has stated that he as a co-agent under the DPOA is refusing to sell Mrs. Gray's mobile home because he wants to see the bank statements from the joint checking account, even though he is aware that the vacant mobile home is costing \$700.00 per month. Cross-Petitioners actions are harmful and not in the best interest of the principal, Mrs. Gray. Cross-Petitioner's actions and delay in selling the mobile home are unreasonable and unjustified.

Wherefore, Cross-Petitioner respectfully requests that the Court deny the Cross-Petitioner in his entirety.

**Status Report of Cross Petitioner Ronald Gray filed on 6/20/2013.** The Status Report states Ronald Gray and Eileen Sutterfield are the children of Lois Gray, who currently resides at Somerford Place in Fresno. Ms. Gray suffers from Alzheimer's dementia and relies on her children to assist her with her financial affairs. Both Ronald and Eileen are nominated and acting agents for Mrs. Gray under a durable power of attorney executed in April 2009 and are successor trustees of a revocable trust established by Mrs. Gray in April 2009.

In the latter part of 2012, a dispute arose between Ronald and Eileen over the management of Mrs. Gray's affairs and Ronald's right to access financial information in his capacity as a co-agent under the DPOA. Eileen wanted to sell Mrs. Gray's mobile home, an asset of Mrs. Gray's Trust and where she could no longer reside, but Eileen was not willing to provide Ronald with information regarding the status of funds in Mrs. Gray's bank accounts. Eileen also declined Ronald's request to deposit the proceeds from the sale of the mobile home into a trust account to which Ronald and Eileen would both have access as co-trustees. Accordingly, Ronald was not willing to agree to sell the mobile home at that time.

The petitions currently before the court were filed. At the hearing on 5/22/2013, the Court ordered Eileen to produce copies of the monthly statements for Mrs. Gray's accounts at Chase Bank and San Joaquin Power Credit Union, and order the parties to list the mobile home for sale.

The parties immediately hired a real estate agent and listed the mobile home for sale. To date, to declarant's knowledge, there have been no offers to purchase the property.

Over two weeks later, on June 8, Eileen produced copies of Mrs. Gray's bank statements. The statements reflect however, that on May 14, 2013, Eileen withdrew over \$20,000 from her mother's credit union accounting, leaving a balance of \$5.00. She included a handwritten note that she had deposited the funds into Mrs. Gray's Chase Bank but, to date has not provided a copy of the Chase Bank accounts statements showing the funds were deposited there. A request was made to Eileen's attorney, Jennifer Walters, that a copy of Chase Bank statements be provided confirming the credit union funds were deposited there, but to date no such documentation has been received. Ms. Walters said only, in an e-mail, the funds are "accounted for" but gave no further explanation.

Additionally, the credit union statements showed a \$2,500 withdrawal by Eileen in February 2013. Inquiry was made to Ms. Walters about the nature of this withdrawal, but no response was received. Mr. Gray does not believe the withdrawal was to pay Cottonwood Court, where Mrs. Gray was living at the time, as the amount was inconsistent with the other payments made to that facility, nevertheless, the information has not been provided by either Eileen or her attorney.

Mr. Gray remains willing to try to resolve these matters with Eileen, but is finding it difficult to engage in discussions when she continues to withhold information.

Please see additional page

**Supplemental Declaration of Eileen Sutterfied filed on 6/20/2013.** Ms. Sutterfield states she never wanted to bring this action to the court's attention, but felt she had no choice.

Her brother has been fighting her with regards to her mother and her accounts, the trust, the mobile home, and the stocks for several months now. Ms. Sutterfied states she is trying to do right by her mother but to success in that endeavor she must rely on the court to assist her in resolving the matter.

When her mother drafted the Trust in 2009, she expressly only put a few pieces of property within the trust, the mobile home, a vehicle she sold in 2011, and her two parcels of mountain land. Her reasoning for drafting the trust was to prevent her and her brother from having to probate those assets.

During the time the trust was drafted, her mother had bank accounts and stocks that she did not wish to include in the trust. In 2010 her mother decided she wanted Eileen to be joint owner of her accounts. Ms. Sutterfield states she and her mother are very close. She has been her primary care giver, cooking for her, caring for her, helping her in every possible way. As a result of this relationship though the years she added Ms. Sutterfield to her accounts.

Ms. Sutterfield believes her brother is misunderstanding his role as a trustee. It is her understanding that he truly believes that all their mother's property, including her money should be in the trust for both of them to control. For example, the stocks her mother has had since before the trust was created have different percentages to the beneficiaries that the trust indicates. If the stocks were included in the in the trust her brother's percentage would increase from 10% to 15%.

Ms. Sutterfield states she is not trying to be difficult, but rather protect HERS and her mother's interest. Mrs. Sutterfied states that her brother has stated to a physician last year, in the presence of her and her husband, that he does not like their mother and has not liked her for over 20 years. He stated to the physician that the way he deals with his mother was to "avoid her." Ms. Sutterfield states her brother wishes for their mother to be in a care facility that is just "adequate" as anything more would be too expensive, and that she babies her. Ms. Sutterfield states their mother is in her 90s and will not be around for much longer. They should make every effort to make sure she enjoys her last years here. Even if this costs ever dollar she has.

Ms. Sutterfield states her only intention is to carry out her mother's wishes and protect her in any way she can from emotional and financial abuse and misuse of her funds. She cannot say the same motivation is driving her brother. He is not acting in the best interest of their mother. It is their mother's money, not his.

Ms. Sutterfield is requesting the court appoint a private fiduciary to become trustee of her mother's trust as there is no possible way she and her brother will be able to have any amicable working relationship. She is requesting the court deny her brother the ability to control any of the accounts that are held jointly between Ms. Sutterfield and her mother.

<u>Note:</u> The Trust is not before the court therefore the court cannot make an order appointing a private fiduciary to become the Trustee for the Trust. A separate action for the trust will need to be commenced, with notice to all parties interested in the trust.

Atty

Petition to Determine Succession to Real Property (Prob. C. 13151)

DO	D: 10-6-08	EDDIE L. HENDERSON aka ED HENDERSON,	NEEDS/PROBLEMS/COMMENTS:
		Son, is Petitioner.	
		40 days since DOD	
		No other proceedings	
	Aff.Sub.Wit.		
~	Verified	I&A: \$140,200.00	
~	Inventory	(real and personal property)	
>	PTC	Decedent died intestate	
	Not.Cred.	= Decedent died intestate	
	Notice of Hrg	Petitioner requests Court determination that the decedent's 100% interest in	
	Aff.Mail	certain real property located at 1520 E.	
	Aff.Pub.	Englewood in Fresno and personal	
	Sp.Ntc.	property including household furniture and furnishings and other personal effects	
	Pers.Serv.	passes to him pursuant to intestate	
	Conf.	succession.	
	Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video		
	Receipt	=	
	CI Report	_	
	9202	_	
ľ	Order	_	Daviewa d by a ske
-	Aff. Posting	_	Reviewed by: skc
	Status Rpt UCCJEA	$\dashv$	Reviewed on: 6-19-13 Updates:
-	Citation	$\dashv$	Recommendation: SUBMITTED
	FTB Notice	┥	File 6 - Morrison
<b>L</b>	FID NOTICE		LIIC 0 - MOIII2011

Atty

Herold, Kim M. (for Larry E. Davis – Nephew – Petitioner)

Petition for Letters of Administration; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

DO	D: 4-5-13		LARRY E. DAVIS, Nephew, is Petitioner	NEEDS/PROBLEMS/COMMENTS:
			and requests appointment as Administrator full IAEA with bond of \$49,090.00.	Note to Attorney: Although the current Notice of Petition to Administer Estate (updated 1-1-13) was used, the
	Aff.Sub.Wit.		Full IAEA: ok	publication does not contain the updated language. For future petitions,
~	Verified		Decedent died intestate	please remember to note the update for publication.
	Inventory PTC		Residence: Sanger, CA	Note: Bond will be fixed at \$49,090.00.
	Not.Cred.		Publication: Sanger Herald  Estimated Value of Estate:	Petitioner states at #8 that certain heirs     were not located for notice. The Court
	Hrg		Personal property: \$ 9,000.00	may require further diligence re:
<b>&gt;</b>	Aff.Mail	W	Annual income: \$ 90.00	- Ronald Breckenridge (nephew)
~	Aff.Pub.		Real property: \$ 40,000.00 Total: \$ 49,090.00	- Any issue of Roger Ford Breckenridge (deceased nephew)
	Sp.Ntc.		\$ 47,070.00	(deceased liepliew)
	Pers.Serv.		Probate Referee: Steven Diebert	
	Conf.			
	Screen			
~	Letters			
~	Duties/Supp			
	Objections			
	Video			
<u> </u>	Receipt			
	CI Report			
	9202			
~	Order			
	Aff. Posting			Reviewed by: skc
	Status Rpt			Reviewed on: 6-19-13
	UCCJEA			Updates:
	Citation			Recommendation:
	FTB Notice			File 7 - Breckenridge

# 8 Nancy L. Munday aka Nancy Louise Munday (Estate) Case No. 13CEPR00422

Atty Bagdasarian, Gary G. (for Patti Bibb – sister/Petitioner)

Petition for Probate of Will and for Letters Testamentary; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

DOD: 03/16/13	PATTI BIBB, sister/named Executor	NEEDS/PROBLEMS/COMMENTS:
	without bond, is Petitioner.	
		Note: Status hearings will be set as
	Full IAEA – OK	follows:
Cont. from	1	• Friday, 11/29/2013 at
Aff.Sub.Wit. s/p	Will dated: 03/06/12	9:00a.m. in Dept. 303 for the
✓ Verified	1	filing of the inventory and
Inventory	Residence: Fresno	appraisal <u>and</u>
PTC	Publication: The Business Journal	• Friday, 08/29/2014 at 9:00a.m. in Dept. 303 for the
Not.Cred.	Estimated value of the estate:	filing of the first account and
✓ Notice of	Estimated value of the estate:  Personal property - \$31,500.00	final distribution.
Hrg	Annual income - 100.00	Division and the Lead of Division 7.5 if the
✓ Aff.Mail w/	Real property - 110,000.00	Pursuant to Local Rule 7.5 if the required documents are filed 10 days
Aff.Pub.	Total - \$141,600.00	prior to the hearings on the matter the
Sp.Ntc.	Ţ	status hearing will come off calendar
Pers.Serv.	Probate Referee: STEVEN DIEBERT	and no appearance will be required.
Conf.	1	
Screen		
✓ Letters	1	
✓ Duties/Supp	]	
Objections	]	
Video	1	
Receipt		
CI Report		
9202		
✓ Order		
Aff. Posting		Reviewed by: JF
Status Rpt		<b>Reviewed on:</b> 06/19/13
UCCJEA		Updates:
Citation		Recommendation: SUBMITTED
FTB Notice		File 8 - Munday

Willoughby, Hugh W. (for Teresa Espinoza – Petitioner)

Petition for Probate of Will and for Letters Testamentary; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

Full IAEA – OK  Cont. from  Aff. Sub. Wit.  Verified Inventory PTC Not.Cred.  Aff. Mail Aff. Pub. Aff. Pub. Aff. Pub. Sp. Ntc. Pers. Serv. Conf. Screen Video Receipt Clitters Video Receipt Cl Report Aff. Posting Status Rpt VidCJEA Clitation FTB Notice FTB Notice  Full IAEA – OK  Will dated 06/14/05  Residence: Fresno Publication: The Business Journal Residence: Fresno Publication: The Musiness Journal Residence: Fresno Recidentarion the will, but her address and relationship to the decedent are not listed in item 8 of the Petition. Note: Status hearings will be set as follows: Priday, 11/29/2013 at 9:00a.m. in Dept. 303 for the filing of the first account and filed distribution. Priday, 08/29/2014 at 9:00a.m. in Dept. 303 for the filing of the first account and filed distribution. Probate Referee: RICK SMITH Probate Referee: RICK SMITH Probate Ref	DOD: 04/02/13			TERESA ESPINOZA, named Executor	NEEDS/PROBLEMS/COMMENTS:
Cont. from  Aff.Sub.Wit.  ✓ Verified  Inventory  PTC  Not.Cred.  ✓ Notice of Hrg  Aff.Pub.  Sp.Ntc.  Pers.Serv.  Conf. Screen  ✓ Letters  ✓ Duties/Supp  Objections  Video Receipt  CI Report  9202  ✓ Order  Aff. Posting  Status Rpt  UCCJEA  Citation  Will dated 06/14/05  Will dated 06/14/05  Residence: Fresno Publication: The Business Journal  Residence: Fresno Publication: Note: Status hearings will be set as follows:  - Friday, 11/29/2013 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal and - Friday, 08/29/2014 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution.  Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.  Residence: Fresno Publication:  Note: Status hearings will be set as follows:  - Friday, 11/29/2013 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution.  Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.  Reviewed by: JF Reviewed on: 06/19/13  Updates: Recommendation:				without bond is Petitioner.	1. Petitioner is a named
Conf. from   Aff. Sub. Wit.   Verified   Inventory   PTC   Not. Cred.   Personal property - \$297,500.00   Annual income - 2,975,00   Annual income - 2,975,00   Real property - 100,000.00   Total - \$400,475.00   Probate Referee: RICK SMITH   Pusuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will be required.   Pusuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will be set as follows:    **Priday, 11/29/2013 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal and Friday, 08/29/2014 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution.     **Pusuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.     **Pusuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearing will come off calendar and no appearance will be required.     **Pusuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearing will come off calendar and no appearance will be required.     **Pusuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearing will come off calendar and no appearance will be required.     **Reviewed by: JF**   **Reviewed on: 06/19/13**   **UCCJEA**   **UCCJEA**   **Commendation:**   **Priday, 11/29/2013 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution.     **Priday, 11/29/2013 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution.     **Priday, 11/29/2013 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution.     **Priday, 11/29/2013 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution.     **Priday, 11/29/2013 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution.				Full IAEA – OK	
Aff.Sub.Wit.  ✓ Verified  Inventory  PTC  Not.Cred.  ✓ Nofice of Hrg  Aff.Pub.  Sp.Ntc.  Pers.Serv.  Conf. Screen  ✓ Letters  ✓ Dubles/Supp  Objections  Video Receipt  CI Report  9202  ✓ Order  Aff. Posting  Status Rpt  UCCJEA  Citation  Will adrea 06/14/05  Residence: Fresno Publication: The Business Journal  Note: Status hearings will be set as follows:  Friday, 11/29/2013 at 9:00a.m. in Dept. 303 for the filling of the inventory and appraisal and Pinday, 08/29/2014 at 9:00a.m. in Dept. 303 for the filling of the first account and final distribution.  Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will be set as follows:  Friday, 11/29/2013 at 9:00a.m. in Dept. 303 for the filling of the inventory and appraisal and 9:00a.m. in Dept. 303 for the filling of the first account and final distribution.  Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will be set as follows:  Friday, 11/29/2013 at 9:00a.m. in Dept. 303 for the filling of the inventory and appraisal and 9:00a.m. in Dept. 303 for the filling of the inventory and appraisal and 9:00a.m. in Dept. 303 for the filling of the inventory and appraisal and 9:00a.m. in Dept. 303 for the filling of the inventory and appraisal and 9:00a.m. in Dept. 303 for the filling of the inventory and appraisal and 9:00a.m. in Dept. 303 for the filling of the inventory and appraisal and 9:00a.m. in Dept. 303 for the filling of the inventory and appraisal and 9:00a.m. in Dept. 303 for the filling of the inventory and appraisal and 9:00a.m. in Dept. 30a for t	Со	nt. from			1
Inventory   PTC   Policication: The Business Journal   Note: Status hearings will be set as follows:		Aff.Sub.Wit.		Will dated 06/14/05	decedent are not listed in
Inventory	<b>✓</b>			Residence: Fresno	item 8 of the Petition.
Not.Cred.  Notice of Hrg Sersonal property - \$297,500.00 Annual income - 2,975.00  Aff.Mail W/O Aff.Mail W/O Aff.Pub. Total - \$400,475.00  Pers.Serv. Probate Referee: RICK SMITH  Pusuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.  CI Report 9202  ✓ Order Aff. Posting Status Rpt UCCJEA Citation  Solution Status Rpt UCCJEA Citation  Estimated Value of the Estate: Personal property - \$297,500.00 Annual income - 2,975.00 The filing of the inventory and appraisal and • Friday, 08/29/2014 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution.  Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.  Reviewed by: JF Reviewed on: 06/19/13 Updates: Recommendation:					Note: Status hearings will be set
✓ Notice of Hrg       Personal property - \$297,500.00       Friday, 11/29/2013 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal and 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal and 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal and 9:00a.m. in Dept. 303 for the filing of the first account and final distribution.         Video       Personal property - \$297,500.00       Priday, 11/29/2013 at 9:00a.m. in Dept. 303 for the filing of the first account and appraisal and 9:00a.m. in Dept. 303 for the filing of the first account and final distribution.         Video       Probate Referee: RICK SMITH       Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.         Video       Receipt       Reviewed by: JF         Aff. Posting       Reviewed on: 06/19/13         UCCJEA       Citation       Recommendation:					<u> </u>
Hrg Annual income - 2,975.00  Aff.Nail W/o Aff.Pub. Total - \$400,475.00  Pers.Serv. Probate Referee: RICK SMITH  Probate Referee: RICK SMITH  Prosum to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.  CI Report 9202  Order Aff. Posting Status Rpt UCCJEA  Citation  Pressort - 100,000.00 - 2,975.00 - 2,97					
<ul> <li>✓ Aff.Mail</li> <li>✓ Aff.Pub.</li> <li>Sp.Ntc.</li> <li>Pers.Serv.</li> <li>Conf.</li> <li>Screen</li> <li>✓ Duties/Supp</li> <li>Objections</li> <li>Video Receipt</li> <li>CI Report</li> <li>9202</li> <li>✓ Order</li> <li>Aff. Posting</li> <li>Status Rpt</li> <li>UCCJEA</li> <li>Citation</li> <li>Total - \$400,475.00</li> <li>the filing of the inventory and appraisal and • Friday, 08/29/2014 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution.</li> <li>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.</li> <li>Reviewed by: JF</li> <li>Reviewed on: 06/19/13</li> <li>Updates:</li> <li>Recommendation:</li> </ul>	<b>√</b>				
Aff.Pub.  Sp.Ntc.  Pers.Serv.  Conf. Screen  ✓ Letters  ✓ Duties/Supp  Objections  Video Receipt  CI Report  9202  ✓ Order  Aff. Posting  Status Rpt  UCCJEA  Citation  Total  - \$400,475.00  • Friday, 08/29/2014 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution.  Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.  Reviewed by: JF  Reviewed on: 06/19/13  Updates: Recommendation:	✓		w/o	•	the filing of the inventory
Sp.Ntc.  Pers.Serv.  Conf. Screen  ✓ Letters  ✓ Duties/Supp  Objections  Video Receipt  CI Report  9:00a.m. in Dept. 303 for the filing of the first account and final distribution.  Pursuant to Local Rule 7.5 if the required documents are filled 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.  CI Report  9:00a.m. in Dept. 303 for the filing of the first account and final distribution.  Pursuant to Local Rule 7.5 if the required documents are filled 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.  CI Report  9202  ✓ Order  Aff. Posting  Status Rpt  UCCJEA  Citation  Reviewed by: JF  Reviewed on: 06/19/13  Updates:  Recommendation:		Aff.Pub.	-		· · · —
Conf. Screen  ✓ Letters  ✓ Duties/Supp  Objections  Video Receipt  Fursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.  CI Report  9202  ✓ Order  Aff. Posting  Reviewed by: JF  Reviewed on: 06/19/13  UCCJEA  Citation  Cistribution.  Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.		Sp.Ntc.			• • • • • • • • • • • • • • • • • • • •
Conf. Screen  ✓ Letters  ✓ Duties/Supp  Objections  Video Receipt  CI Report  9202  ✓ Order  Aff. Posting  Status Rpt  UCCJEA  Citation  distribution.  Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.  Reviewed by: JF  Reviewed on: 06/19/13  Updates:  Recommendation:		Pers.Serv.		Probate Referee: <b>RICK SMITH</b>	
✓ Letters   ✓ Duties/Supp   Objections   Video   Receipt   CI Report   9202   ✓ Order   Aff. Posting   Status Rpt   UCCJEA   Citation    Pursuant to Local Rule 7.5 if the required 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.   Reviewed by: JF   Reviewed on: 06/19/13   Updates:   Recommendation:					
✓ Duties/Supp   Objections   Video   Receipt   CI Report   9202   ✓ Order   Aff. Posting   Status Rpt   UCCJEA   UCCJEA   Citation   required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required. Reviewed by: JF Reviewed on: 06/19/13 Updates: Recommendation:					
Objections  Video Receipt  CI Report  9202  ✓ Order  Aff. Posting  Status Rpt  UCCJEA  Citation  days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.  Reviewed by: JF  Reviewed on: 06/19/13  Updates:  Recommendation:	<b>✓</b>				
Video Receipt  CI Report  9202  ✓ Order  Aff. Posting  Status Rpt  UCCJEA  Citation  Matter the status hearing will come off calendar and no appearance will be required.  Reviewed by: JF  Reviewed on: 06/19/13  Updates:  Recommendation:	_				·
Video come off calendar and no appearance will be required.   CI Report 9202   ✓ Order Reviewed by: JF   Status Rpt Reviewed on: 06/19/13   UCCJEA Updates:   Citation Recommendation:		•			
CI Report   9202   ✓ Order   Aff. Posting   Status Rpt   UCCJEA   Updates:   Citation   Reviewed by: JF  Reviewed on: 06/19/13  Updates:  Recommendation:					come off calendar and no
9202   ✓ Order   Aff. Posting   Reviewed by: JF   Status Rpt   Reviewed on: 06/19/13   UCCJEA   Updates:   Citation   Recommendation:	_	-			appearance will be required.
✓ Order   Aff. Posting   Status Rpt   UCCJEA   Updates:   Citation   Reviewed by: JF  Reviewed on: 06/19/13  Updates:  Recommendation:		•			
Aff. Posting  Status Rpt  UCCJEA  Citation  Reviewed by: JF  Reviewed on: 06/19/13  Updates:  Recommendation:					
Status Rpt  UCCJEA  Updates:  Citation  Reviewed on: 06/19/13  Updates:  Recommendation:	<b>√</b>				
UCCJEA Updates: Citation Recommendation:					-
Citation Recommendation:	_	•			
					•
FTB Notice     File 9 - Espinosa					
	<u> </u>	FTB Notice	<u> </u>		File 9 - Espinosa

Flanigan, Philip M. (for Renee Dauer & Marjorie Dauer-Piper – Granddaughters/Petitioners)

Petition for Letters Administration; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

DOD: 03/09/13		RENEE DAUER and MARJORIE	NEEDS/PROBLEMS/COMMENTS:
Cont. from		DAUER-PIPER, granddaughters, are Petitioners and request appointment as Co-Administrators with without bond.	Note: The Notice of Petition to Administer Estate form (DE-121) used is outdated. This form was updated January 1, 2013 and revised the
Aff.Sub.Wit.  ✓ Verified  Inventory  PTC		Full IAEA – OK All heirs waive bond	language of #8 regarding Notice to Creditor's. The updated language should also be used in the publication.
Not.Cred.  ✓ Notice of Hrg		Decedent died intestate  Residence: Biola	Note: Status hearings will be set as follows:
Aff.Mail Aff.Pub.	w/	Publication: The Business Journal  Estimated Value of the Estate:	<ul> <li>Friday, 11/29/2013 at 9:00a.m.</li> <li>in Dept. 303 for the filing of the inventory and appraisal and</li> </ul>
Sp.Ntc. Pers.Serv.		Real property - \$55,000.00	<ul> <li>Friday, 08/29/2014 at 9:00a.m.</li> <li>in Dept. 303 for the filing of the first account and final</li> </ul>
Conf. Screen		Probate Referee: <b>RICK SMITH</b>	distribution.
✓ Duties/Supp	)		Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status
Video Receipt			hearing will come off calendar and no appearance will be required.
CI Report			
9202 ✓ Order			
Aff. Posting		]	Reviewed by: JF
Status Rpt UCCJEA			Reviewed on: 06/19/13 Updates:
Citation			Recommendation: SUBMITTED
FTB Notice			File 10 - Dauer

Carson, Gayle (of Long Beach, CA, for Petitioners)
Petition to Determine Succession to Real Property (Prob. C. 13151)

DO	DOD: 12-21-12 JAIME VASQUEZ and NEEDS/PROBLEMS/COMMENTS:				
			<b>CARO CARUSO</b> , Grandson and Granddaughter, are Petitioners.		CONTINUED TO 7-23-13 Per attorney request
			40 days since DOD	1.	In this summary proceeding, the Court is limited to making a determination that the property passes to the appropriate
	Aff.Sub.Wit.		No other proceedings		successor according to the decedent's will,
>	Verified		10 4 #05 000 00 /		which is The Rosa Haydee Lopez Living Trust dated April 3, 2011. See Probate Code §§
>	Inventory		I&A: \$95,000.00 (real property only)		13150 and 13006 (definition of successor).
<b>&gt;</b>	PTC		Orliy)		Therefore, the Court cannot make the determination as requested that property
	Not.Cred.		Will dated 4-3-11 devises the		passes to Petitioners directly.
~	Notice of	Χ	estate, after certain specific		Note: Petitioners provide a copy of the trust,
	Hrg		bequests, to <b>The Rosa Haydee</b>		which indicates that Petitioners are the
~	Aff.Mail	W	Lopez Living Trust dated April 3, 2011.		successor co-trustees. The Court can authorize distribution to Petitioners as co-
	Aff.Pub.		2011.		trustees in this summary proceeding, but not
	Sp.Ntc.		Petitioners state that they are		directly.
	Pers.Serv.		the beneficiaries of the trust and	2.	Need clarification: Petitioners provide a copy of the trust, which lists the subject
	Conf.		request court determination that		property as an asset of the trust on Schedule
	Screen		the decedent's 100% interest in		A. If the property is <u>already</u> an asset of the
	Letters		certain real property in Reedley,		trust, this petition for summary proceeding is inappropriate. Petitioners may wish to
	Duties/Supp		CA, passes to them in undivided 50% interests each.		research and consider the appropriate
	Objections		30% interests eden.		options for passing property if Court order is necessary.
	Video			2	Need date of death of the decedent's
	Receipt			J.	deceased spouse per Local Rule 7.1.1.D.
	CI Report			4.	Need proof of service of Notice of Hearing
<u> </u>	9202				at least 15 days prior to the hearing on the
	Order				following persons per Probate Code §§ 13153, 1220: - Miriam C. Acevedo (daughter) - Michael Pura (grandson)
					Note: Although these heirs are disinherited by the trust, they are entitled to notice of hearing on this proceeding.
				5.	<u>If this matter goes forward</u> , need revised order determining succession to Petitioners as co-trustees of the trust.
	Aff. Posting				viewed by: skc
	Status Rpt				viewed on: 6-19-13
	UCCJEA			<b>Updates:</b> 6-20-13	
	Citation			Recommendation:	
	FTB Notice			File	e 11 - Lopez
					11

Chielpegian, Mark E. (for Petitioner Nicholas Machado)

Petition to Compel Custodian under California Uniform Transfers to Minor Act to Account: and Termination of Custodianship

#### NICHOLAS MACHADO is petitioner. **NEEDS/PROBLEMS/COMMENTS:** Petitioner alleges: He is 20 years old and a resident of Fresno Notice of Withdrawal of County. Petition filed on 6/24/2013. Cont. from California Rules of Court 7.101 While under the age of majority, **ARTHUR** Aff.Sub.Wit. MACHADO ("custodian") was designated states if a petition, an order or as custodian for Petitioner under the other document to be Verified California Uniform Transfer to Minor's Act submitted is one for which the Inventory and property was transferred to him as Judicial Council has adopted PTC such custodian. a mandatory form, that form must be used. Therefore, the Custodian has never accounted for his Not.Cred. acts as custodian. request should have been Notice of Petitioner believes the Custodian held made on the mandatory Hrg Judicial Council form CV-110 and managed at least two accounts for W/ Aff.Mail Petitioner's benefit at Fresno County Request for Dismissal. Federal Credit Union and Fidelity Aff.Pub. Investments. 1. Need Order. Local Rule Sp.Ntc. Petitioner believes the Custodian has 7.1 states a proposed Pers.Serv. converted roughly \$9,099.13 from the Order shall be submitted Conf. Fresno County Credit Union while such with all pleadings that Screen custodial property was under his request relief. If the Letters possession and control. proposed order is not received in the Probate **Duties/Supp** On 5/3/2013, Petitioner made a written demand that the Custodian immediately Filing Clerk's Office ten (10) **Objections** return the converted property, plus days before the scheduled Video interest, and account for custodial hearing, a continuance Receipt property under his possession and may be required. **CI Report** control. 9202 Custodian however did not respond to Χ Order the written demand. Petitioner now seeks an accounting for all Aff. Posting Reviewed by: KT custodial property under Custodian's **Status Rpt** Reviewed on: 6/20/13 possession and control for the benefit of **UCCJEA** Updates: 6/24/2013 Petitioner, and for the imposition of Citation **Recommendation:** damages for the wrongful conduct of **FTB Notice** File 12 - Machado Custodian. Petitioner seeks further order immediately terminating the custodianship, and compelling Custodian to immediately turn over possession and control of all custodial property. Please see additional page

### 12 Nicholas Machado (Custodian)

Case No. 13CEPR00451

#### Wherefore, Petitioner prays as follows:

- 1. That this Court order **ARTHUR MACHADO** to account for all custodial property held for the benefit of **NICHOLAS MACHADO** that was at any time or now is in his possession, custody or control.
- 2. That his Court order the termination of the custodianship for the benefit of **NICHOLAS MACHADO**, and further order **ARTHUR MACHADO** to execute all necessary documents to immediately turn over all custodial property to **NICHOLAS MACHADO**.
- 3. For compensatory damages.
- 4. For punitive damages.
- 5. For prejudgment and post-judgment interest at the maximum rate allowable by law.
- 6. For reasonable attorney's fees and costs, according to proof.
- 7. For costs of suit herein.
- 8. For such other and further relief that the Court may deem proper.

McFarland, Pamela (for Charlotte Burleson and JW Burleson – Former Guardians – Petitioners)

Petition for Visitation

Cry	rstal, age 8		CHARLOTTE and JW BURLESON, former	NEEDS/PROBLEMS/COMMENTS:
> > >	Aff.Sub.Wit. Verified Inventory PTC Not.Cred. Notice of Hrg Aff.Mail Aff.Pub. Sp.Ntc.	w	CHARLOTTE and JW BURLESON, former guardians, are Petitioners.  Petitioners state guardianship was terminated on 9-16-10 and at that time, the Court ordered regular and ongoing visitation pursuant to mutual agreement. However, since February 2013, the mother (CONNIE AMADOR) has refused visitation and refuses to comply with the order.  Therefore, Petitioners request the Court clarify or modify the order for visitation. A proposed schedule is provided.	1. Guardianship was terminated on 9-16-10. Therefore, this probate court no longer has jurisdiction to address or make further orders regarding visitation for the minor. Any further proceedings, including this request for modification of the order made in the probate court for visitation for the former guardians, must be brought in the Family Court. See Probate Code §1602.  Probate Code §1602(c) provides a mechanism for opening a Family Law case if there is not an
<b>&gt;</b>	Pers.Serv. Conf. Screen Letters	W		Family Law case if there is not an open case already.  See also corresponding Family Code §3105, which authorizes the
	Duties/Supp Objections Video			Family Court to make or modify visitation orders, if appropriate.
	Receipt CI Report			
>	9202 Order			
	Aff. Posting Status Rpt UCCJEA			Reviewed by: skc Reviewed on: 6-19-13 Updates:
	Citation FTB Notice			Recommendation: File 13 - Burleson

13

Palms, Melva (Pro Per – Great-Aunt – Petitioner)
Petition for Appointment of Temporary Guardian of the Person (Prob. C. 2250)

Age: 3 weeks			GENERAL HEARING 8-13-13	NEEDS/PROBLEMS/COMMENTS:		
			<b>MELVA PALMS</b> , Great-Aunt and Family Friend, along with <b>LANDREA TOWNSEND</b> , Mother, are Petitioners.	1.	regarding Ms. Palms' relationship to the child – Petition states great-aunt and family friend, and also states	
	Aff.Sub.Wit.		Father: Unknown		god-sister to maternal grandma.  However, the petition states the	
~	Verified		Paternal Grandparents: Unknown		grandmother's name is unknown,	
	Inventory		Maternal Grandparents: Unknown		and a god-sister is not a relative.	
	PTC		<b>Petitioners state</b> the hospital was		This information is necessary to	
	Not.Cred.		concerned about the mother's ability		determine whether the guardianship	
	Notice of	Χ	to care for the baby due to her		investigation is done by the Court or	
	Hrg		diagnosis of bipolar. They talked about		by DSS pursuant to Probate Code §1513(a).	
	Aff.Mail		adoption, but decided long-term		31010(a).	
	Aff.Pub.		guardianship would be best. The mother has expressed that she can't	2.	Petitioners state the father is	
	Sp.Ntc.		handle another child. This way, she can		unknown. The Court may require	
	Pers.Serv.	Χ	still be in his life. "2 moms are better		further diligence or notice pursuant to Probate Code §2250(e).	
~	Conf.		than 1."		• • • • • • • • • • • • • • • • • • • •	
	Screen			3.	Ms. Palms' Confidential Guardian	
~	Letters		Ms. Townsend states her pregnancy		Screening Form is incomplete – need explanations for various answers	
~	Duties/Supp		was not planned. She has a 2-year-old that she can barely take care of, and		provided.	
	Objections		Ms. Palms can provide for the baby		p. 6	
	Video		and give him a good home to grow up			
	Receipt		in. She is worried that she will be too			
	CI Report		stressed. She and Ms. Palms have a			
<u> </u>	9202		good relationship and Ms. Palms helps			
~	Order		her take care of her 2-year-old also. She is willing to do what the baby			
	Aff. Posting		needs		Reviewed by: skc	
	Status Rpt				Reviewed on: 6-19-13	
	UCCJEA			Updates:  Recommendation:		
	Citation					
	FTB Notice			FIIE	e 14 – Townsend-Palms	

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